

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PT. BANK NEGARA INDONESIA (PERSERO)
TBK.,

Plaintiff,

v.

BARCLAYS BANK PLC and BARCLAYS
CAPITAL INC.,

Defendants.

Case No. 10 Civ. 8851 (LBS)

**DEFENDANTS' NOTICE OF MOTION TO
DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE THAT, for all the reasons set forth in the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, Defendants Barclays Bank PLC and Barclays Capital Inc. (collectively, "Defendants"), by and through their counsel, hereby move under Federal Rules of Civil Procedure 8(a), 9(b), 12(b)(1), and 12(b)(6) for the Court to dismiss Plaintiffs' Complaint. Defendants move for the first four claims of the Complaint to be dismissed with prejudice, based on their failure to state a claim and the futility of any amendment. Defendants move for the fifth claim to be dismissed without prejudice, based on its lack of ripeness, and the inappropriateness of the Court exercising supplemental jurisdiction over or issuing a declaratory judgment on that claim. As required by the Individual Practices of Judge Sand, Rule 2(D), the Complaint is annexed to this motion as Exhibit 1.

Dated: New York, New York
March 11, 2011

Respectfully submitted,

/s/ Ruth E. Harlow
Lance Croffoot-Suede
Ruth E. Harlow
LINKLATERS LLP

1345 Avenue of the Americas
New York, NY 10105
(212) 903-9000 Tel.
(212) 903-9100 Fax
lance.croffoot-suede@linklaters.com
ruth.harlow@linklaters.com

Counsel for Defendants Barclays Bank PLC
and Barclays Capital Inc.